

REMARKS

- Claims 3-4, 6-18, 20-26, and 31-33 are pending.
- Claims 1-33 are rejected.
- Claims 3-4, 6, 8, 9, 13, 15, 17, 18, 20, 22, and 23 are currently amended.

Claim 3 has been amended to include the subject matter of canceled claim 1 and to more clearly recite the invention. (See page 20, line 16 through page 22, line 1).

Claim 8 has been amended to more clearly recite the invention. This amendment is supported in the originally filed specification, on page 41, lines 1-12, as well as on page 49, lines 5-14.

Claims 6, 9, 13, and 15 have been amended in their dependency from canceled claim 1 to allowable claim 3.

Claim 17 has been amended to include the subject matter of canceled claim 1 and to more clearly recite the invention. (See page 109, line 21, through page 111, line 9.)

Claim 22 has been amended in its dependency from claim 22 to claim 20 and to more clearly recite the invention. This amendment is supported in the originally filed specification, on page 41, lines 1-12, as well as on page 49, lines 5-14.

Claims 20 and 23 have been amended in their dependency from canceled claim 1 to claim 17.

Claim 31 has been amended to include the subject matter of canceled claim 1.

Claims 32 and 33 have been amended in their dependency from claim 1 to allowable claim 31.

Claim Objections

(1) Claims 4, 6, 9, 13, 15, 20, and 23 have been amended to add the article “a” before “condition”. Thus, claim objections due to missing article “a”, are overcome.

(2) Since Claim 22 has been amended as explained above, this claim objection is obviated.

Claim Rejections - 35 USC § 112

(1) Claims 1-33 are rejected under 35 U.S.C. § 112, second paragraph in relation to the scope of a “fixing device”.

Claims 3, 17, and 31 have been amended to add the expression “having a fixing member provided with a heat source therein and a pressing member” after “a fixing device”, respectively. This is supported in the originally filed specification, on page 78, lines 3-14; page 90, line 21, to page 91, line 9; and page 105, line 22, to page 106, line 10.

The current amendment overcomes these claim rejections to claims 1-33.

(2) Claims 19 and claim 5 (reciting the same feature as claim 19) have been canceled. Thus, this rejection to claim 19 is moot.

(3) Claim 22 has been amended as explained above, that amendment obviates this rejection to claim 22.

Claim Rejections - 35 USC § 102 and 103

As explained above, claims 3 and 31 have been amended to include the subject matter of canceled claim 1, which makes them allowable.

Since claims 6, 9, 13, and 15 have been amended to depend from allowable amended claim 3, the rejections to claims 4, 6, 9, 13 and 15 are obviated.

Similarly, claims 32 and 33 have been amended to depend from allowable claim 31; thus, the claim rejections of these claims are obviated, as well.

Claims 1, 2, 17, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Higashimura et al. US Patent 4,948,692.

Specifically, the Examiner pointed out on page 5, last line, through page 6, line 5, that "As seen in Figure 31, the flattened toner resides in a stable position 315 and possibly in an unstable position 316.

All toner will take the stable position 315 at transfer (emphasized) so that each of the flattened toner particles is attached onto the image forming body and transfer material in such a manner that . . .".

However, Higashimura et al. disclose in col. 26, lines 29-33, that "As shown in Fig. 30, the alignment of toner particles 297 formed by magnetic brush 9 is in an aligned or a conductive position 302 as determined by the stabilizing principle of energy forming an electric current path".

That is, in the developing step of Higashimura et al., all toner will take the conductive position 302 so that each of the flattened toner particles is attached onto the image forming body in such a manner that a surface perpendicular to a direction of the thickness of each of the flattened toner particles does **not** come into contact with a surface of the image forming body.

In contrast, **claim 17** has been amended to include the subject matter of canceled claim 1 and to more clearly recite the invention in which each of the flattened toner particles is attached onto the image forming body in the developing step and the transfer material in the transferring step in such a manner that a surface perpendicular to a direction of the thickness of each of the flattened toner particles comes into contact with a surface of the image forming body and a surface of the transfer material.

Thus, Higashimura et al. does **not** disclose the feature in the developing step set forth in amended claim 17, but rather Higashimura et al. discloses the feature in the **transferring** step of amended claim 17.

In view of the foregoing, amended independent claims 3, 17, and 33; dependent claims 4 and 6-16, which depend from claim 3; dependent claims 18 and 20-26; which depend from claim 17; and dependent claims 32-33, which depend from claim 31, distinguish over Yamashiro et al., Higashimura et al. and Borsenberger et al., taken singly or in any combination, under 35 U.S.C. § 102 as well as under 35 U.S.C. § 103.

Since all claims are in a condition for allowance, please issue a Notice of Allowability so stating. If I can be of any help, please contact me.

Respectfully submitted,

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